

11-22-06

EW DAE\$



I hereby certify that this correspondence is being deposited with the United States Postal Service as Express mail No. EV 814432609 US in an envelope addressed to: Mail Stop Petition, Commissioner of Patents, Alexandria, VA 22313-1450 on this 21st day of November 2006.

By

E. Victor Donahue
(Signature of person mailing)
E. Victor Donahue

(Typed or printed name of person)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Timothy E. Benson, et al. :

APPLICATION NO.: 10/028,224 : Examiner: David J. Steadman

FILING DATE: December 21, 2001 : Group Art Unit: 1652

TITLE: CRYSTALLIZATION AND :
STRUCTURE DETERMINATION OF
GLYCOSYLATED HUMAN BETA
SECRETASE, AN ENZYME
IMPLICATED IN ALZHEIMER'S
DISEASE

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Petition to Revive Unintentionally Abandoned Application
Pursuant to 37CFR 1.137(b)

Applicant respectfully petitions for revival of the present application, which went abandoned for failure to pay the Issue Fee, based on the "Notice of Allowance and Issue Fee Due" mailed June 30, 2006.

The present application went abandoned for failure to pay the Issue Fee on September 30, 2006, three months following the mailing of the Notice of Allowance.

The undersigned attorney first became aware that the application had even been allowed on November 17, 2006, the date upon which the Notice of Abandonment was received in the Office of Applicant's attorneys. Upon review of the relevant facts, it clearly appears that although the Notice of Allowance was promptly received and placed in the legal department's central file (immediately following its mailing from the U.S. Patent Office), in fact, owing to clerical staff error, the Issue Fee due date was simply never docketed, nor otherwise called to the attention of any attorney, neither orally or by any writing, and therefore no other record was made of the existence of the Notice of Allowance. Since the

11/24/2006 DEMMANU1 00000005 161445 10028224

01 FC:1453 1500.00 DA

due date was not placed on any docketing system, the undersigned had no way of knowing that a due date even existed.

Therefore, the entire period of delay in responding to the Notice of Allowance has been unintentional.

The Petition Fee of \$1500.00 is tendered herewith. The Issue Fee Transmittal, with fee, is tendered herewith. The Patent Office is authorized to charge any additional needed fee, or fee deficiency, to Applicant's Deposit Account **16-1445**.

Since the earliest filing date corresponding to the present application is December 23, 2000, (09/747,421) no Terminal Disclaimer is needed in connection with the time period of the present delay.

Applicant regrets the inconvenience caused by the present clerical error.

Respectfully submitted,

Date: _____

11/21/06

E. Victor Donahue

E. Victor Donahue, Esq.
Attorney for Applicant(s)
Reg. No. 35,492

Pfizer, Inc.
Patent Department, 5th Floor
150 East 42nd Street
New York, NY 10017-5755
(212) 733-2739